IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

INCOME TAX APPEAL (L) No.389 of 2004.
WITH
NOTICE OF MOTION No. 1189 of 2004

The Commissioner of
Income-tax City-VIII, Mumbai. ..Appellant.

Vs.

M/s. Eupharma Laboratories
Ltd. Euipharma House, ..Respondents.

Mr S. M. Shah for Appellant.

Mr A. R. Singh i/b K. Gopal & P.K. Parida
for the Respondents.

CORAM:DR.S. RADHAKRISHNAN
AND V.C. DAGA,JJ.
DATED:19th June, 2007.

P.C.:-

1. Heard learned counsel for the parties.

2. The learned counsel for the appellant seeks leave to withdraw the above appeal. The appeal is allowed to be withdrawn and dismissed as such.

3. Proper court fee be refunded in the above appeal as per rules.

4. In view of withdrawal of the Appeal, the notice of motion does not survive as such notice of motion stands disposed of accordingly.

(V.C. DAGA,J.) **(DR.S. RADHAKRISHNAN,J.)**